

**COMMONWEALTH OF MASSACHUSETTS**  
**State Building Code (780 CMR) Appeals Board**  
**Board's Ruling on Appeal<sup>1</sup>**

**Docket No. 09-701**  
Appellant(s): Maria Ramirez

vs.

Appellee(s): City of Somerville  
Leo Karapetian

**Procedural History**

This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant requested that the Board grant him a variance from the 6<sup>th</sup> Edition 780 CMR 3404.12 Section 3, 904.7, 906.2.1, 906.2.2 for 71 Heath Street, Somerville, MA in accordance with GL c. 30A, §§10 & 11; GL c. 143, §100; 801 CMR 1.02 *et. seq.*; and 780 CMR 122.3.4. The Board convened a public hearing on February 5, 2009 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

The Appellant appeared and testified for the hearing representing her nephew, the owner, Jerry Lorenzo.

**Discussion**

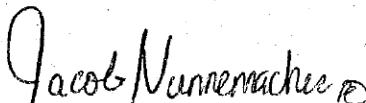
A motion was made to deny the Appellant's request for a variance from the 6<sup>th</sup> Edition of 780 CMR 3404.12 Section 3, 904.7, 906.2.1, 906.2.2 based on the exhibits and testimony that was presented and uphold the building official's determination that a sprinkler system is required. The motion noted that apparently substantial renovation was done as approximately two thirds of the building was gutted under the two permits issued. There was a second on the motion and a board vote was taken, which was unanimous.

**Conclusion**

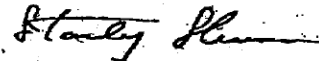
**The Appellant's request for a variance from the 6<sup>th</sup> Edition 780 CMR 3404.12 Section 3, 904.7, 906.2.1, 906.2.2 is hereby denied as described in the discussion above and so ordered<sup>2</sup> on this date: February 5, 2009.**



Douglas Semple



Jacob Nunnemacher



Stanley Shuman

<sup>1</sup> This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108

<sup>2</sup> In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.